

# Exhibit A

MICHAEL A. GALLARDO, ESQ. - 003182001  
 GINARTE, GALLARDO,  
 GONZALEZ & WINOGRAD, L.L.P.  
 400 MARKET STREET  
 NEWARK, NEW JERSEY 07105  
 (973) 854-8400  
 OUR FILE NO. 256765  
 ATTORNEYS FOR PLAINTIFF, MIRIAM OLIVEROS

MIRIAM OLIVEROS,	: SUPERIOR COURT OF NEW JERSEY
	: LAW DIVISION: UNION COUNTY
Plaintiff	:
	:
vs.	: DOCKET NO.: UNN-L-1912-21
	:
COSTCO WHOLESALE CORP.; COSTCO; JOHN	: CIVIL ACTION
AND JANE DOES 1-10 (said individuals being	:
fictitious and unknown) AND ABC CORPORATIONS	: SUMMONS
1-10 (said business entities being fictitious and	:
unknown),	:
	:
Defendants	:

THE STATE OF NEW JERSEY, TO THE ABOVE NAMED DEFENDANT(S):

**Costco,**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summon, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one for foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to Treasurer, State of New Jersey, and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appears above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services is available in the Civil Division Management office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

DATED: June 3, 2021

/s/ Michelle M. Smith  
 Michelle M. Smith, Superior Court Clerk

Name of defendant to be served: **Costco**  
 Address to be served: **315 Route 15 North**  
**Wharton, NJ**

\*\$175.00 FOR LAW DIVISION CASES

**DEPUTY CLERKS' ADDRESSES**

Atlantic County, 1201 Bacharach Blvd., Atlantic City, NJ 08830  
 Bergen County Justice Center, 10 Main St., Hackensack, NJ 07601  
 Burlington County Courts Facility, 49 Rancocas Rd., Mt. Holly, NJ 08060  
 Camden County Hall of Justice, 101 S. 5th St., Camden, NJ 08103-4001  
 Cape May County Clhse., Main St., Cape May Court House, NJ 08210  
 Cumberland County Court House, Broad & Fayette St., Bridgeton, NJ 08302  
 Essex County Cty. Cts. Bldg., 50 W. Market St., Newark, NJ 07102  
 Gloucester County Court House, 1 N. Broad St., Woodbury, NJ 08096  
 Hudson County Admin. Bldg., 595 Newark Ave., Jersey City, NJ 07306  
 Hunterdon County Court House, Main Street, Flemington, NJ 08822  
 Mercer County Court House, P.O. Box 8068, Trenton, NJ 08650-0068  
 Middlesex County Court House, 1 Kennedy Sq., New Brunswick, NJ 08903  
 Monmouth County Court House, 71 Monument Park, Freehold, NJ 07728  
 Morris County Court House, P.O. Box 900, Morristown, NJ 07963-0900  
 Ocean County Court House, 118 Washington St., Toms River, NJ 08754  
 Passaic County Court House, 77 Hamilton St., Paterson, NJ 07505-2017  
 Salem County Court House, 92 Market St., Salem, NJ 08079  
 Somerset County Court House, P.O. Box 3000, Somerville, NJ 08876-1262  
 Sussex County Court House, 43-47 High St., Newton, NJ 07860  
 Union County Court House, 2 Broad St., Elizabeth, NJ 07207  
 Warren County Courthouse, 2nd & Hardwick St., Belvidere, NJ 07823

**LEGAL AID OFFICES****LEGAL SERVICES OFFICES**

Atlantic County	(609) 348-4200	(609) 345-3444
Bergen County	(201) 487-2166	(201) 488-0044 or 692-1011
Burlington County	(609) 261-1088	(609) 261-4862
Camden County	(609) 964-1002	(609) 964-4520
Cape May County	(609) 465-3001	(609) 463-0313
Cumberland County	(609) 692-2400	(609) 692-6207
Essex County	(973) 622-1514	(973) 622-6207
Gloucester County	(609) 848-5360	(609) 848-4589
Hudson County	(201) 792-6363	(201) 798-2727
Hunterdon County	(908) 782-7979	(908) 735-2611
Mercer County	(609) 695-6249	(609) 890-6200
Middlesex County	(609) 249-7600	(609) 828-0053
Monmouth County	(908) 747-7400	(908) 431-5544
Morris County	(201) 285-6911	(201) 267-5882
Ocean County	(908) 341-2727	(908) 240-3666
Passaic County	(201) 345-7171	(201) 278-9223
Salem County	(609) 451-0003	(908) 678-8363
Somerset County	(908) 231-0840	(908) 685-2323
Sussex County	(201) 383-7400	(201) 267-5882
Union County	(908) 527-4769	(908) 353-4715
Warren County	(908) 475-2010	(908) 267-5882

MICHAEL A. GALLARDO - 003182001  
 GINARTE, GALLARDO,  
 GONZALEZ & WINOGRAD, L.L.P.  
 400 MARKET STREET  
 NEWARK, NJ 07105  
 (973) 854-8400

OUR FILE NO.: 256765

ATTORNEYS FOR PLAINTIFF, MIRIAM OLIVEROS

MIRIAM OLIVEROS,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: UNION COUNTY
Plaintiff	:	DOCKET NO.: UNN-L-
	:	
vs.	:	CIVIL ACTION
	:	
COSTCO WHOLESALE CORP.;	:	COMPLAINT, JURY DEMAND,
COSTCO; JOHN AND JANE DOES 1-10	:	DESIGNATION OF TRIAL COUNSEL
(said individuals being fictitious and	:	AND DISCOVERY REQUESTS
unknown) AND ABC CORPORATIONS	:	
1-10 (said business entities being fictitious	:	
and unknown),	:	
	:	
Defendants	:	

Plaintiff, Miriam Oliveros, residing at 6 Hudson Street, in the City of Garfield, County of Bergen and State of New Jersey, by way of Complaint against the Defendants, says:

#### **FIRST COUNT**

1. On or about June 2, 2019, plaintiff, Miriam Oliveros, was lawfully walking on the parking lot abutting a commercial property located at 315 Route 15 North, in the Township of Wharton, County of Morris and State of New Jersey commonly referred to and known as Costco after making a purchase.
2. On or about the aforementioned date, such premises were owned, managed, supervised, maintained, constructed, repaired, installed, leased and/or controlled by the defendants, COSTCO WHOLESALE CORP. and COSTCO, doing business

throughout the State of New Jersey, including the County of Union; JOHN AND JANE DOES 1-10 and ABC CORPS 1-10.

3. Defendants, John and Jane Does 1-10 and ABC Corporations 1-10, are fictitious individuals, corporations or business entities named herein for the express purpose of tolling the applicable statute of limitations and were either the owners, managers, supervisors, operators, or constructed, repaired, leased or maintained the aforesaid premises including parking lot.
4. Defendants breached their duties to plaintiff, Miriam Oliveros, by carelessly, recklessly, and negligently maintaining, repairing, managing, controlling, operating, constructing, leasing and/or supervising the aforesaid premises including but not limited to parking lot abutting commercial property.
5. As a direct and proximate result of the aforesaid negligence of the defendants, plaintiff, Miriam Oliveros, was caused to trip and fall while walking on the parking lot abutting defendant's commercial property and will be caused to sustain severe personal injuries, suffered and in the future will suffer great pain, was caused to seek medical treatment and attention including undergoing multiple surgeries with resulting significant scarring, ongoing medical treatment and permanent residuals was and will be prevented from engaging in her normal activities and pursuits and thereby did incur lost wages.

WHEREFORE, plaintiff, Miriam Oliveros, demands judgment against the defendants, COSTCO WHOLESALE CORP. and COSTCO, for damages, interest and costs of this action.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury of all issues so triable.

**CERTIFICATION**

The undersigned certifies that the above matter is not the subject of any other action, suit or arbitration proceeding pending or contemplated.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, the firm of Ginarte, Gallardo, Gonzalez & Winograd, LLP, attorneys for Plaintiff, Miriam Oliveros, hereby appoints Michael A. Gallardo, Esq. as trial counsel.

**DEMAND FOR ANSWERS TO INTERROGATORIES**

Pursuant to Rule 4:17-1 et seq., plaintiff hereby demands that all defendants provide answers to Form C and C-2 interrogatories.

**DEMAND FOR SUPPLEMENTAL INTERROGATORIES**

1. Please state the name of any person or entity who is responsible for operation, cleaning, repairs and/or maintenance of the parking lot abutting the commercial property located at 315 Route 15 North, Wharton, New Jersey commonly referred to as Costco.
2. Please state the name of any person or entity who performed any inspection, maintenance or repairs to parking lot abutting commercial property located at 315 Route 15 North, Wharton, New Jersey during the period of 2018 to the present.
3. Describe in detail and previous or subsequent incidents of which defendant is aware

which occurred in substantially the same way as plaintiff's accident or in the same or nearby location (i.e. trip and fall due to deteriorated parking lot abutting commercial property located at 315 Route 15 North, Wharton, New Jersey.

4. Describe what efforts the defendant made to correct or warn of the condition or defect which plaintiff alleges both before and after the incident.
5. Did the defendant have any procedures for regular inspection of the parking lot abutting commercial property located at 315 Route 15 North, Wharton, New Jersey at the time of the June 2, 2019 incident or in 2017, 2018 or 2019. If so, please describe.
6. If you are claiming any statutory or common law immunity please state the nature of the alleged immunity and the facts upon which you will rely to establish your claim.

**DEMAND FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rule 4:18-1, et seq., plaintiff hereby demands that all defendants provide the following documents:

1. Any and all statements or reports made by any person or governmental entity concerning this civil action or its subject matter.
2. Copies of any and all photographs in your possession of the location, the alleged condition, or the parties involved in this accident.
3. Copies of any and all estimates, bills, or invoices for work or repair done to the area of the incident for two years prior and subsequent to the incident.
4. Copies of any claims information bureau or other insurance claims searches or other documents referencing any prior or subsequent injuries and/or claims by the plaintiff.

5. Copies of any statements made by any person with regard to the happening of the accident or having to do with the subject matter of this action.
6. Copies of any and all expert reports, reports of diagnostic tests, hospital and medical records, X-rays, CAT scan films, MRI films and any other films and bills relating to any condition or injury sustained by the plaintiff.
7. Copies of all written reports or summaries of oral reports of all expert or treating or examining physicians along with their curriculum vitae.
8. Copies of any and all books, treatises, commentaries, reports, statutes, codes, ordinances, rules, regulations or other published documents referred to, utilized by or relied upon by any expert witness whom plaintiff/defendant intends to call at the time of trial.
9. Copies of any and all documents, reports, correspondence, blue prints, charts, diagrams, drawings, graphs, maps, plats, plans, photographs, models or other visual reproductions of any object, place or thing prepared or utilized by, referred to or relied upon by any expert witnesses, whether or not you intend on calling them at the time of trial.
10. Copies of any and all photographs, diagrams, charts, drawings, maps, plans or models or other visual reproductions of any object, place or thing related to this litigation.
11. All documents, tangible evidence or other items relevant to the incident set forth in the plaintiff's complaint.
12. All deeds, leases, contracts, invoices, maintenance agreements, or records pertaining to any person, vehicle, or premises identified in the plaintiff's complaint.



13. Copies of any and all surveillance or other video of the persons involved in the incident, the incident itself, the plaintiff, or of any other matter that is relevant to the within action.
14. If you are not supplying any statement, report, medical record or other item requested herein, identify the item; indicate who has possession of the item; specify their address and state the reason why the items are not being provided.
15. Copies of any sweep, monitoring, or inspection logs or other documentation reflecting or referencing regular inspection of the premises including exterior deck and staircase.

**REQUEST FOR ADMISSIONS**

Pursuant to Rule 4:22-1, et seq., plaintiff hereby demands that defendants provide answers to the following:

1. Do you admit or deny that the incident that forms the basis of this action occurred on the date and at the place referenced in the complaint.
2. Do you admit or deny that at the time of the incident the premises where the incident occurred were owned and controlled by the defendants, COSTCO WHOLESALE CORP. and COSTCO.
3. Do you admit or deny that the plaintiff tripped and fell due to deteriorated parking lot abutting commercial property located at 315 Route 15 North, Wharton, New Jersey on June 2, 2019 commonly referred to as COSTCO.
4. Do you admit or deny that plaintiff sustained injuries as a result of the incident in question necessitating multiple surgeries with resulting significant scarring, ongoing medical treatment and permanent residuals.

5. Do you admit or deny that plaintiff was a business invitee of the defendant.

**DEMAND FOR DISCOVERY OF INSURANCE COVERAGE**

Pursuant to R. 4:10-2 (b) demand is hereby made that you disclose to the undersigned whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment. If the answer is "yes" attach a copy of each or in the alternative state, under oath or certification (a) number (b) name and address of insurer or issuer (c) inception and expiration dates (d) names and addresses of all persons insured thereunder (e) personal injury limits (f) property damage limits (g) medical payment limits (h) name and address of person who has custody and possession thereof (i) where and when each policy or agreement can be inspected and copied., (j) excess coverage, (k) concurrent coverage, (l) umbrella policies.

GINARTE, GALLARDO,  
GONZALEZ & WINOGRAD, LLP  
Attorneys for Plaintiff, Miriam Oliveros

  
Michael A. Gallardo, Esq.

DATED: May 29, 2021

## Civil Case Information Statement

**Case Details: UNION | Civil Part Docket# L-001912-21**

**Case Caption:** OLIVEROS MIRIAM VS COSTCO  
WHOLESALE COR P.

**Case Initiation Date:** 06/01/2021

**Attorney Name:** MICHAEL A GALLARDO

**Firm Name:** GINARTE GALLARDO GONZALEZ  
WINOGRAD, LLP

**Address:** 400 MARKET ST  
NEWARK NJ 07105

**Phone:** 9738548400

**Name of Party:** PLAINTIFF : Oliveros, Miriam

**Name of Defendant's Primary Insurance Company**  
(if known): GALLAGHER BASSETT

**Case Type:** PERSONAL INJURY

**Document Type:** Complaint with Jury Demand

**Jury Demand:** YES - 6 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Are sexual abuse claims alleged by:** Miriam Oliveros? NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** YES

**If yes, for what language:**

SPANISH

**Please check off each applicable category:** Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/01/2021

Dated

/s/ MICHAEL A GALLARDO

Signed

UNN-L-001912-21 06/01/2021 12:50:28 PM Pg 2 of 2 Trans ID: LCV20211333114